

90<sup>th</sup> Legislative Session – 2015

Committee: House State Affairs

Friday, March 06, 2015

P - Present  
E - Excused  
A - Absent

Roll Call

P Bartling  
P Bolin  
P Haggar (Don)  
P Hawley  
P Langer  
P Mickelson  
P Munsterman  
P Solum  
P Stevens  
P Verchio  
P Wink  
P Westra, Vice-Chair  
P Gosch, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Brian G. Gosch, Chair.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, MARCH 4, 2015

Moved by: Wink  
Second by: Mickelson  
Action: Prevailed by voice vote.

SB 135: authorize municipalities to impose an additional sales and use tax for a limited period of time for a specified use.

Presented by: Representative Scott Munsterman (Handouts: #1)  
Proponents: Jim Mehlhaff, City of Pierre  
Deb Mortenson, Associated General Contractors Of South Dakota

Tim Reed, Mayor of Brookings  
Mark Lee, Sioux Falls Area Chamber Of Commerce  
Kwinn Neff, Town of Keystone  
Andy Colvin, City of Vermillion  
Yvonne Taylor, SD Municipal League (Handouts: #2)  
Opponents: David Wiest, Department of Revenue  
Bob Riter, National Federation of Independent Business  
Mike Held, South Dakota Farm Bureau  
Jeremiah M. Murphy, South Dakota Coalition for Responsible Taxation

MOTION: DO PASS SB 135

Moved by: Wink  
Second by: Munsterman  
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DEFER SB 135 TO THE 41<sup>ST</sup> LEGISLATIVE DAY

Moved by: Westra  
Second by: Langer  
Action: Prevailed by roll call vote. (7-6-0-0)

Voting Yes: Bolin, Haggar (Don), Langer, Mickelson, Solum, Westra, Gosch

Voting No: Bartling, Hawley, Munsterman, Stevens, Verchio, Wink

SB 64: revise certain provisions regarding the registration of business names.

Presented by: Tom Deadrick, Deputy Secretary of State

MOTION: DO PASS SB 64

Moved by: Westra  
Second by: Solum  
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Bartling, Bolin, Haggar (Don), Hawley, Langer, Mickelson, Munsterman, Solum, Stevens, Verchio, Wink, Westra, Gosch

MOTION: PLACE SB 64 ON CONSENT CALENDAR

Moved by: Westra

Second by: Langer  
Action: Prevailed by voice vote.

SB 65: revise certain procedures regarding campaign finance disclosure statements.

Presented by: Shantel Krebs, Secretary of State

MOTION: AMEND SB 65

65oa

On page 2, line 19, of the Senate Local Government Committee engrossed bill, delete "nominated" and insert "publicly seeking a nomination".

Moved by: Mickelson  
Second by: Langer  
Action: Prevailed by voice vote.

MOTION: DO PASS SB 65 AS AMENDED

Moved by: Westra  
Second by: Mickelson  
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Bartling, Bolin, Haggar (Don), Hawley, Langer, Mickelson, Munsterman, Solum, Stevens, Verchio, Wink, Westra, Gosch

MOTION: PLACE SB 65 ON CONSENT CALENDAR

Moved by: Wink  
Second by: Langer  
Action: Prevailed by voice vote.

SB 66: revise certain provisions regarding the county renaming process.

Presented by: Shantel Krebs, Secretary of State

MOTION: AMEND SB 66

66sc

On page 2, after line 6 of the Senate Local Government Committee engrossed bill, insert:

" Section 4. That § 7-1-69 be amended to read as follows:

7-1-69. Whenever not less than fifteen percent of the registered voters of any organized county in this state, based upon the total number of registered voters at the last preceding general election, shall on or before the first day of July in any general election year, file in the office of county auditor a petition requesting that the name of ~~such~~ the county be changed and authorizing the county to appropriate and pay for all local government and state government costs associated with changing the name of the county, the county auditor shall at the next regular election, submit to the legal voters of the county on a separate printed ballot the following question:

Shall the name of this county be changed to \_\_\_\_\_ and county funds be appropriated to pay for all local government and state government costs associated with the name change?

\_\_\_ Yes

\_\_\_ No

All voters in favor of changing the name of ~~such~~ the county and paying for all the local government and state government costs associated with the name change shall place either a cross or check mark in the square before the word Yes on the ballot. All voters who do not favor changing the name of such county and paying for all the local government and state government costs associated with the name change shall place either a cross or check mark in the square before the word No on the ballot. All local government and state government costs associated with changing the name of the county shall be paid by the county from county funds appropriated for that purpose before the change of the name of the county shall be effective."

Moved by: Westra  
Second by: Wink  
Action: Prevailed by voice vote.

**MOTION:** DO PASS SB 66 AS AMENDED

Moved by: Wink  
Second by: Westra  
Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Bartling, Bolin, Haggart (Don), Langer, Mickelson, Munsterman, Solum, Stevens, Verchio, Wink, Westra, Gosch

Excused: Hawley

MOTION: PLACE SB 66 ON CONSENT CALENDAR

Moved by: Wink

Second by: Langer

Action: Prevailed by voice vote.

SB 67: revise certain provisions regarding challenges to certain election petition signatures.

Presented by: Shantel Krebs, Secretary of State

MOTION: AMEND SB 67

67oa

On page 1, line 11, of the printed bill, delete "second" and insert "third".

Moved by: Mickelson

Second by: Solum

Action: Prevailed by voice vote.

MOTION: DO PASS SB 67 AS AMENDED

Moved by: Westra

Second by: Langer

Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Bartling, Bolin, Haggart (Don), Hawley, Langer, Mickelson, Munsterman, Solum, Stevens, Verchio, Wink, Westra, Gosch

MOTION: PLACE SB 67 ON CONSENT CALENDAR

Moved by: Westra

Second by: Langer

Action: Prevailed by voice vote.

SB 68: provide for a random sampling of nominating petition signatures for statewide offices.

Presented by: Shantel Krebs, Secretary of State

Others: Kea Warne, Deputy Secretary of State, Election Services

MOTION: DO PASS SB 68

Moved by: Westra

Second by: Wink

Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Bartling, Bolin, Haggar (Don), Hawley, Langer, Mickelson, Munsterman, Solum, Stevens, Verchio, Wink, Westra, Gosch

MOTION: PLACE SB 68 ON CONSENT CALENDAR

Moved by: Langer

Second by: Westra

Action: Failed by voice vote.

SB 69: revise certain provisions regarding elections and election petitions.

Presented by: Shantel Krebs, Secretary of State

Opponents: Lee Baron, Pierre, self  
Jay Davis, Rapid City, self

Others: Kea Warne, Deputy Secretary of State, Election Services

MOTION: AMEND SB 69

69fi

On page 3, line 19, of the Senate engrossed bill, after "party" insert "and voters registered as other".

On page 4, line 6, after "party" insert "and voters registered as other".

On page 5, line 13, after "affiliation" insert "or voters registered as other".

On page 11, line 9, overstrike "January" and insert "December".

On page 11, line 9, overstrike "at 8:00 a.m.".

On page 11, delete lines 21 to 24, inclusive, and insert:

" Section 20. That § 12-1-3 be amended by adding thereto NEW SUBDIVISIONS to read as  
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follows:

"Independent" or "no party affiliation," any voter who writes Independent, I, Ind, the field is blank, no party affiliation, no party, no choice, nonpartisan, or line crossed off in the Choice of Party field on the voter registration form;

"Other," any voter who writes any other nonrecognized political party in the Choice of Party field on the voter registration form."

On page 12, delete lines 1 to 24, inclusive.

On page 13, delete lines 1 and 2.

Moved by: Hawley  
Second by: Bartling  
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION AMEND SB 69

69fm

On page 12, line 12, of the Senate engrossed bill, delete "that was diagnosed after the petition filing".

On page 12, line 15, delete "by at least" and insert ";".

On page 12, delete line 16.

On page 12, line 21, after "office," insert "it has been determined that the party candidate's employment conflicts by law with the duties of the office sought,".

Moved by: Mickelson  
Second by: Wink  
Action: Prevailed by voice vote.

MOTION: AMEND SB 69

69fl

On page 3, line 19, of the Senate engrossed bill, after "party" insert "and voters registered as

other".

On page 4, line 6, after "party" insert "and voters registered as other".

On page 5, line 13, after "affiliation" insert "or voters registered as other".

On page 11, line 9, overstrike "January" and insert "December".

On page 11, line 9, overstrike "at 8:00 a.m.".

On page 13, after line 2, insert:

" Section 22. That § 12-1-3 be amended by adding thereto NEW SUBDIVISIONS to read as follows:

"Independent" or "no party affiliation," any voter who writes Independent, I, Ind, the field is blank, no party affiliation, no party, no choice, nonpartisan, or line crossed off in the Choice of Party field on the voter registration form;

"Other," any voter who writes any other nonrecognized political party in the Choice of Party field on the voter registration form.".

Moved by: Mickelson  
Second by: Langer  
Action: Prevailed by voice vote.

MOTION: AMEND SB 69

69fj

On page 1, line 10, of the Senate engrossed bill, delete "last Tuesday of ~~March~~" and insert "last first Tuesday of March".

On page 1, line 11, delete "February".

On page 1, remove the overstrikes from lines 11 to 13, inclusive.

On page 2, delete line 12, and insert "p.m., the ~~last~~ first Tuesday of March prior to the date of the primary election. If a petition".

On page 2, remove the overstrikes from line 13.



On page 2, line 13, overstrike "last" and insert "first".

On page 2, remove the overstrikes from line 14.

On page 2, line 21, delete "sixty-five" and insert "fifty-eight".

On page 2, line 24, delete "last Tuesday in ~~March~~ February" and insert "~~last~~ first Tuesday in March".

On page 5, remove the overstrikes from lines 8 and 9.

On page 6, line 6, delete "last Tuesday in ~~March~~ February" and insert "~~last~~ first Tuesday in March".

On page 6, remove the overstrikes from lines 9 and 10.

On page 6, line 10, overstrike "last" and insert "first".

On page 6, line 13, delete "last Tuesday in ~~March~~ February" and insert "~~last~~ first Tuesday in March".

On page 6, line 18, delete "last Tuesday in ~~March~~ February" and insert "~~last~~ first Tuesday in March".

On page 7, line 6, delete "last Tuesday in ~~March~~ February" and insert "~~last~~ first Tuesday in March".

On page 8, delete line 1, and insert "after the ~~last~~ first Tuesday in March at five p.m. If the request is mailed by registered mail".

On page 8, remove the overstrikes from line 2.

On page 8, line 2, overstrike "last" and insert "first".

On page 8, line 8, delete "last Tuesday in ~~March~~ February" and insert "~~last~~ first Tuesday in March".

On page 8, remove the overstrikes from lines 20 and 21.

On page 9, remove the overstrikes from lines 10 and 11.

On page 10, remove the overstrikes from lines 4 to 6, inclusive.

On page 10, line 5, delete "last Friday in February" and insert "~~last~~ first Friday in ~~February~~ March".

On page 10, remove the overstrikes from line 24.

On page 10, line 24, overstrike "last" and insert "first".

On page 11, remove the overstrikes from line 1.

On page 11, remove the overstrikes from lines 11 and 12.

Moved by: Mickelson  
Second by: Munsterman  
Action: Prevailed by voice vote.

MOTION: AMEND THE PENDING AMENDMENT

69on

On the pending amendment, (69fj), delete the page 2, line 21 instruction.

Moved by: Munsterman  
Second by: Westra  
Action: Prevailed by voice vote.

MOTION: DO PASS SB 69 AS AMENDED

Moved by: Langer  
Second by: Solum  
Action: Prevailed by roll call vote. (10-3-0-0)

Voting Yes: Bolin, Haggar (Don), Langer, Mickelson, Munsterman, Solum, Stevens, Wink, Westra, Gosch

Voting No: Bartling, Hawley, Verchio

MOTION: ADJOURN

Moved by: Mickelson

Second by: Langer

Action: Prevailed by voice vote.

Glenda Woodburn  
Committee Secretary

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Brian G. Gosch, Chair